IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4505 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

N.K. PATEL

Versus

AHMEDABAD URBAN DEVELOPMENT AUTHORITY

Appearance:
Mr.A.R.Thakkar for Mr.J.R.Nanavati for the petitioners
Mr.Mazgaonkar for
MR SN SHELAT for Respondent No.1

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 23/02/2001

ORAL JUDGEMENT

The matter was heard on the last date i.e. on 15.2.2001 and was posted for dictation of order today. On behalf of the learned counsel for the petitioners Mr. J.R.Nanavati a note dated 19.2.2001 has been moved in

which it is stated that petitioner No.1 was promoted to the post of Deputy Engineer and petitioner No.2 has been given charge of Deputy Engineer since last four years. It is further stated in this note that recruitment rules affecting the petitioners are being revised and the provision is being made for direct recruitment and promotion only. This petition was directed against the appointments being made by deputation as one of the source of recruitment under the rules. The note dated 19.2.2001 to remain on record.

The petitioners seek permission to withdraw the petition with permission to file fresh. There is no question of any permission to file fresh petition on the same facts. In case the petitioners feel aggrieved in the light of the revised rules and the provisions and if there is any fresh cause of action, it is always open for the petitioners to agitate the issue. Mr. Mazgaonkar appearing for the respondent No.1 has no objection to the withdrawal of this petition. This Special Civil Application is accordingly rejected as withdrawn. Rule is hereby discharged. No order as to costs.

(M.R.Calla,J)